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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/699,402	10/31/2000	Masahiro Matsuo	3064NG/49341	6990

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Crowell & Moring LLP
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EXAMINER

MOORTHY, ARAVIND K

ART UNIT	PAPER NUMBER
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2131

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 09/699,402	Applicant(s) MATSUO, MASAHIRO	
	Examiner Aravind K. Moorthy	Art Unit 2131	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 March 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2-13, 16-20 and 22-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 2-13, 16-20 and 22-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 October 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This is in response to the appeal brief filed on 1 March 2007.
2. Claims 2-13, 16-20 and 22-25 are pending in the application.
3. Claims 2-13, 16-20 and 22-25 have been rejected.
4. Claims 1, 14, 15 and 21 have been cancelled.

Response to Arguments

5. Applicant's arguments with respect to claims 2-13, 16-20 and 22-25 have been considered but are moot in view of the new ground(s) of rejection.

In view of the appeal brief filed on 1 March 2007, PROSECUTION IS HEREBY REOPENED. A new ground of rejection is set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) initiate a new appeal by filing a notice of appeal under 37 CFR 41.31 followed by an appeal brief under 37 CFR 41.37. The previously paid notice of appeal fee and appeal brief fee can be applied to the new appeal. If, however, the appeal fees set forth in 37 CFR 41.20 have been increased since they were previously paid, then appellant must pay the difference between the increased fees and the amount previously paid.

A Supervisory Patent Examiner (SPE) has approved of reopening prosecution by signing below:

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 2-20, 24 and 25 are rejected under 35 U.S.C. 102(e) as being anticipated by Grunbok, Jr. et al U.S. Patent No. 6,305,603 B1.

As to claim 2, Grunbok et al discloses a network apparatus comprising:

a main device linked to a network represented by the Internet [column 6 line 61 to column 7 line 10], and

a portable remote controller device for remotely controlling the main device by means of communication, wherein the remote controller device includes:

access destination specifying means for specifying an access destination to the main device [column 4, lines 14-24];

display means for displaying information sent from the main device; [column 5, lines 14-37]

identification code storage means for storing an identification code identifying itself; the access destination specifying means serving as means for sending the identification code [column 4, lines 25-37]; and the main device includes:

access means for accessing the access destination specified by the remote controller device and obtaining information therefrom [column 4, lines 14-24];

information sending means for sending the information obtained by the access means to the remote controller device [column 5, lines 14-37]; and

access destination storage means for storing the identification code of the remote controller device and the access destination in a one-to-one correspondence [column 4, lines 25-37];

the access means serving as means for accessing the access destination corresponding to the identification code received from the remote controller device [column 4, lines 25-37].

As to claim 3, Grunbok et al teaches that the access destination storage means serves as means for storing a mail address as the access destination [column 6, lines 1-13].

As to claims 4, 5 and 8-11, Grunbok et al discloses that the display means of the remote controller device includes: title-displaying means for displaying a title of the information sent from the main device [column 4, lines 25-37].

As to claim 6, Grunbok et al discloses a network apparatus, comprising:

a main device linked to a network represented by the internet, and a portable remote controller device for remotely controlling the main device by means of communication, wherein the remote controller device includes [column 6 line 61 to column 7 line 10]:

access destination specifying means for specifying an access destination to the main device [column 4, lines 14-24]; and

display means for displaying information sent from the main device [column 5, lines 14-37], and wherein the main device includes:

access means for accessing the access destination specified by the remote controller device and obtaining information therefrom [column 5, lines 14-37]; and

information sending means for sending the information obtained by the access means to the remote controller device [column 5, lines 14-37] wherein:

the information sending means of the main device sends the information to the remote controller device at an information sending destination after appending the identification code of the remote controller device to the information [column 6, lines 20-44]; and

the remote controller device further includes display disabling means for, when the information sent from the main device to the display means is not appended with its own identification code, disabling display of the information [column 6, lines 20-44].

As to claims 7 and 16-20, Grunbok et al teaches that the main device and the remote controller device communicate with each other by means of infrared rays [column 6 line 61 to column 7 line 10].

As to claims 12-15, Grunbok et al discloses the network apparatus, wherein:

the information sending means of the main device sends the information to the remote controller device at an information sending destination after appending the identification code of the remote controller device to the information [column 6, lines 20-44]; and

the remote controller device further includes display disabling means for, when the information sent from the main device to the display means is not appended with its own, identification code, disabling display of the information [column 6, lines 20-44].

As to claims 24 and 25, Grunbok et al discloses storing, by the main device, and ID code, electronic mail address and password of each of the portable remote controller device and the another portable controller device in a one-to-one correspondence [column 6, lines 20-44].

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 22 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Grunbok, Jr. et al U.S. Patent No. 6,305,603 B1 in view of Russell-Falla et al U.S. Patent No. 6,266,664.

As to claim 22, Grunbok et al discloses a method for accessing information over a network comprising:

receiving, by a main device from a portable remote controller device a request for information [column 4, lines 14-24];

obtaining, by the main device, the requested information [column 5, lines 14-37];

providing the requested information to the portable remote controller device [column 5, lines 14-37];

receiving, by the main device from the portable remote controller device, a display switching signal [column 5, lines 14-37].

Grunbok et al does not teach storing, by the main device, a setting for the portable remote controller device based on the display switching signal, wherein the determination of whether an output to the display device coupled to the main device is allowed is based on the stored setting. Grunbok et al does not teach determining whether an output to a display device coupled to the

main device is allowed. Grunbok et al does not teach disabling the output to the display device when it is determined that the output is not allowed.

Russell-Falla et al teaches storing filtering information [column 5, lines 47-64]. Russell-Falla et al teaches blocking digital data from being displayed when the content is unsuitable or potentially harmful to the user [column 5, lines 47-64].

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Grunbok et al so that the set-top box or a computer would have had a setting for the portable remote controller device based on the display switching signal. There would have been a determination of whether an output to the display device coupled to the main device is allowed is based on the stored setting. It would have been determined whether an output to a display device coupled to the main device was allowed. The output would have been disabled to the display device when it is determined that the output is not allowed.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Grunbok et al by the teaching of Russell-Falla et al because it prevents minors from viewing pornographic material [column 3 line 52 to column 4 line 3].

As to claim 23, Grunbok et al teaches the method, comprising:

storing, by the main device, a setting for another portable remote controller device based on receipt of a display switching signal from the another portable remote controller device, wherein whether an output to the display device coupled to the main device is allowed for information requested by the another

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portable remote controller device is based on the stored setting for the another portable remote controller device [column 5, lines 14-37].

Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aravind K. Moorthy whose telephone number is 571-272-3793. The examiner can normally be reached on Monday-Friday, 8:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz R. Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Aravind K Moorthy 
June 24, 2007


SYED A. ZIA
PRIMARY EXAMINER